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**ADCS Response to the Public Law Working Group's Interim Report
on Supervision Orders**

1. The Association of Directors of Children's Services Ltd. (ADCS) is the national leadership organisation in England for directors of children's services (DCSs) under the provisions of the *Children Act (2004)*. The DCS acts as a single point of leadership and accountability for services for children and young people in a local area, including children's social care and education. ADCS welcomes the opportunity to make a submission to this consultation led by the President of the Family Division's Public Law Working Group (PLWG). ADCS has contributed to the work of the PLWG over several years and welcomes the opportunity to be part of cross-sector discussions about the challenges facing the family justice system, as well as options for change.
2. Supervision Orders (SOs) have been existence for over 30 years yet, as the report notes, the efficacy of these Orders has never formally been evaluated. SOs were conceived to be quite distinct from Care Orders, as an assistive and collaborative tool to allow local authorities (LAs) to 'befriend' and work alongside children and families to bring about positive change. LAs use SOs in targeted and creative ways and for a range of reasons, such as ongoing engagement post-reunification in order to sustain change work. However, usage has broadened and changed over time, with SOs now being attached to Special Guardianship Orders (SGOs) to test placements, for example. Similarly, we do not fully understand the significant variation in use of SOs across the country; usage is far higher in London's family courts than the north west region, for example, yet the reverse is true for Care Orders at Home. Further research would be helpful here.
3. LAs rarely apply for SOs, however, the courts are increasingly awarding an SO when a Care Order has been sought. It is important to understand why this is before pursuing reform. Usage can be seen as an attempt by the courts to direct the use of LA resources, which is inappropriate; the courts only see a fraction of the safeguarding and child protection cases and activity in a locality. Further, since 2010 LAs have lost on average 50% of funding from central government. This means an ever-greater share of the overall children's services budget is going to intensive, statutory interventions in children's social care rather than on the provision of early help and family support. Other public services are experiencing similar challenges meaning that some of the support children and families need to prevent the further escalation of risk either no longer exist e.g. substance misuse programmes or domestic abuse perpetrator programmes, or have extensive waiting lists, such as children's mental health services. The use of SOs to secure resources offers a false sense of security if there are no, or limited, resources to go around.
4. The report also notes a perceived lack of authority, significance and oversight for SOs, with too few levers available to the courts to ensure parental compliance and LA resource allocation. Additional court oversight and enforcement options, including fines, were considered but ADCS members are pleased to note this is not where the recommendations have ultimately landed. A clearer framework for supporting SOs which considers the relationship with child protection plans would be helpful given the shift away from the original purpose and use of SOs. Formalising planning, oversight and review points could be helpful to prevent drift and the associated tools and resources will help in this regard.

5. In terms of the recommendations put forward in the PLWG report, the sharing of good practice and locally developed tools is supported by ADCS and builds on the 2021 PLWG report and accompanying resources. LAs report these are having a beneficial impact on local practice (ADCS, forthcoming). ADCS does not support the abolition of SOs; research quoted in the PLWG's SO report found that nine in 10 professionals thought SOs should be retained (FJO, 2021) whilst other research with parents found there was an overall view that they should be revamped and retained. A more fundamental review into legislation, statutory duties and guidance requires careful consideration.
6. Children's services are on the precipice of generational change, with a wide-ranging reform programme based on the recommendations of the *Independent review of children's social care* (DfE, 2022) plus two other linked reviews expected soon. The government has yet to publish its formal response to these reviews nor the related implementation plan but one of the key reforms relates to the creation of 'family help,' which would see elements of 'children in need' activity drawn into the early help space. The creation of a new family network plan is also of relevance here. ADCS believes any significant review and/or reform of SOs should be considered as part of this wider reform programme.
7. For any further information about the points raised in this consultation, please contact the relevant policy officer in the first instance via katy.block@adcs.org.uk.